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**FROM** **NAME:** James R. Miner, Reg. No. 40,444  
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**MESSAGE** Attached please find the following regarding **U.S. Patent Application No. 09/722,049:**

1. Communication to Examiner (3 pages); ✓
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**DATE:** February 22, 2006  
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**Attorney Docket No. 57761.000124**  
**Application Serial No: 09/722,049****Certificate Of Transmission Under 37 CFR 1.8**

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FEB 22 2006

Application No.: 09/722,049  
Atty. Docket No.: 57761.000124

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 09/722,049 Confirmation No.: 4434  
Applicant : John Andrew LEONARD  
Filed : November 27, 2000  
Title : METHOD AND APPARATUS FOR INTERFACING A LAN TO A  
DRIVE  
TC/Art Unit 2153  
Examiner: Examiner Yasin Barqadle (Previously Scott Klinger)  
  
Docket No. : 57761.000124  
Customer No. : 21967

COMMUNICATION TO EXAMINER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to discussions with Examiner Yasin Barqadle during the week of February 3, 2006, Applicant provides the following remarks regarding the disposition of the above-identified patent application.

The disposition of this application was discussed with the prior Examiner, Examiner Klinger, in telephone conversations between approximately January 27, 2005 to June 16, 2005. As reflected in the June 3, 2005 Statement of Substance of Interview and the May 5, 2005 Interview Summary, Examiner Klinger indicated that he would forward a new Office Action in response to Applicant's questions regarding the November 5, 2004 Office Action.

In the discussions, Examiner Klinger indicated that such new Office Action would restart Applicant's period for response, and that the new Office Action would address deficiencies in the November 5, 2004 Office Action. Examiner Klinger clearly articulated that the application would not be abandoned and that he would prepare and forward the new Office Action.

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In communications during the week February 3, 2006, Examiner Barqadle requested Applicant to provide further comment on the nature of the deficiencies of the November 5, 2004 Office Action. In response, Applicant provides the following comments.

In Applicant's review of the November 5, 2004 Office Action, Applicant noted that the Office Action sets forth "Applicant's arguments with respect to the rejection of claim 1 under 35 USC § 103 have been fully considered and are persuasive." The Office Action further asserts therefore, the rejection has been withdrawn, but that however, upon further consideration, a new ground of rejection is made. (See Office Action on page 2, lines 11-14). However, based on Applicant's representative's review, it appeared (at least with regard to claim 1) that the rejection was indeed maintained in the November 5, 2004 Office Action, i.e., from the December 24, 2003 Office Action.

Accordingly, Applicant's representative (James Miner) discussed the above apparent deficiencies with Examiner Klinger. In a January 27, 2005 telephone call, Examiner Klinger indicated that he would review the above apparent deficiencies and get back to Applicant's representative. In subsequent calls, the Examiner ultimately indicated that "something was not right" with the November 5, 2004 Office Action, that he would review, and that he would issue a further Office Action. In response to Applicant's representative's concern about abandonment of the application in subsequent calls, Examiner Klinger issued the May 5, 2005 Interview Summary.

In further telephone communications with the Examiner, such as on June 16, 2005, Examiner Klinger indicated that he was working to prepare the further Office Action and review the case, but that he had not yet been able to prepare the further Office Action. Applicant subsequently contacted Examiner Barqadle regarding the patent application.

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Applicant hopes the above comments are helpful to Examiner Barqadle's understanding of the situation. Applicant appreciates the courtesies extended by Examiner Barqadle in the communications during the week of February 3 (and during prior communications) and looks forward to receipt of the further Office Action. If the Examiner believes a telephone conference would be helpful to the furtherance of this patent application, the Examiner is most certainly invited to contact Applicant's undersigned representative at the telephone number listed below.

For any fees due in connection with filing this communication the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

Date: February 22, 2006

By: 

James R. Miner  
Registration No. 40,444

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